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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,865	08/04/2003	Eung-Sun Kim	45453	4628
7590 Joseph J. Buczynski Roylance, Abrams, Berdo & Goodman, L.L.P. Suite 600 1300 19th Street Washington, DC 20036			EXAMINER TEKLE, DANIEL T	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 05/13/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/632,865

**Applicant(s)**

KIM, EUNG-SUN

**Examiner**

DANIEL TEKLE

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE-US)  
Paper No(s)/Mail Date 12/28/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 16, 2008 has been entered.

### ***Response to Argument***

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Sparrell et al (US 20030118321).

**Regarding Claim 1:** Sparrell et al. discloses a video recording/reproducing apparatus capable of storing in a storage device a video signal received from a video signal source, and reproducing and outputting the stored video signal to an display device, comprising: an input unit for selecting a function supported in the video recording/reproducing apparatus, selecting a predetermined buffer time among a plurality of allocated predetermined buffer time, and outputting a command (**paragraph 0027**); and a main control unit for temporarily storing a received video signal in a buffer area allocated in the storage device if a command for temporary storage is received from the input unit so that a certain amount of the video signal received from the video signal source is temporarily stored in the temporarily allocated buffer area of the storage device for selecting predetermined buffer time (**paragraph 0027 and 0031**), and for recording in the buffer area or in a non-recording area of the storage device in a long-term basis the video signal temporarily stored in the buffer area according to a set recording format if a recording command instructing a long-term recording process for the temporarily stored video signal of the buffer area is received from the input unit (**paragraph 0040-0041**).

**Regarding Claim 2:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 1, wherein: if the recording command instructing the long-term recording process is received from the input unit, the main control unit sets a new buffer area in a non-recording area of the storage device, records in a previous buffer area in a long-term basis a video signal temporarily stored in the previous buffer area, and

records attribute information of the long-term recorded video signal in a set attribute information recording area (**paragraph 0038, 0040-41 and 0043**).

**Regarding Claim 3:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 2, wherein: if the buffer area in which the video signal is temporarily stored has a remaining storage space, the main control unit incorporates the remaining storage space into the non-recording area (**paragraph 0027**).

**Regarding Claim 4:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 2, wherein: if the recording command instructing the long-term recording process is received from the input unit, the main control unit copies and records in the non-recording area of the storage device the video signal temporarily stored in the buffer area, deletes the video signal temporarily stored in the buffer area, and records in the set attribute information recording area the attribute information of the video signal recorded in the non-recording area in the long-term basis (**paragraph 0027 and 0038**).

**Regarding Claim 5:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 2, wherein: the attribute information of the video signal recorded in the attribute information recording area has at least any one of a start address, an end address, a recording rate, and a recording time of the video signal (**paragraph 0038**).

**Regarding Claim 6:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 1, wherein: if a command signal for deleting the video signal temporarily stored in the buffer area is received from the input unit, the main control unit deletes the video signal temporarily stored in the buffer area (**paragraph 0027**).

**Regarding Claim 7:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 1, further comprising: an interface unit mounted in a main body to receive the command transmitted from the input unit (**paragraph 0026**).

**Regarding Claim 8:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 1, wherein: the input unit includes an external input unit which is external of the apparatus (**paragraph 0026**).

**Regarding Claim 9:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 8, wherein: the external input unit includes a remote controller provided with a plurality of keys and transmits infrared signals corresponding to key selections (**paragraph 0026**).

**Regarding Claim 10:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 9, further comprising: an interface unit mounted in a main body and including a light-receiving part for receiving the infrared signals transmitted from the remote controller (**paragraph 0026**).

**Regarding Claim 11:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 1, wherein: the video signal source includes any one of a tuner receiving broadcast signals, a disc player reproducing a signal recorded in a recording medium, and an external input port inputting video signals from external devices (**paragraph 0028**).

**Regarding Claim 12:** Sparrell et al. discloses a video recording/reproducing apparatus as claimed in claim 1, wherein: the storage device includes a hard disc driven by a hard disc drive (**paragraph 0027**).

**Regarding Claims 13-15:** Claims 13-14 are rejected for the same subject matter as claims 1-2 and 4 respectively.

**Regarding Claim 16:** Sparrell et al. discloses a storage device control method as claimed in claim 13, wherein: the input unit is external of the video recording/reproducing apparatus (**paragraph 0026**).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2621

/Daniel Tekle/

Examiner, Art Unit 2621

/Marsha D. Banks-Harold/

Supervisory Patent Examiner, Art Unit 2621